

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

LAURA LEIGH,

Plaintiff,

v.

KEN SALAZAR, et al.,

Defendants.

3:10-CV-0597-LRH-VPC

ORDER

Before the court is the plaintiff Laura Leigh (“Leigh”) and defendants Ken Salazar, Bob Abbey, and Ronald Wenker’s (collectively “defendants”) joint motion to stay filed on February 15, 2011. Doc. #48.¹

This action arises out of the Bureau of Land Management’s (“BLM”) decision to gather wild horses in Lincoln County, Nevada within the Silver King Herd Management Area. Plaintiff filed a complaint against defendants challenging the decision of the BLM to limit and restrict plaintiff’s access to the gather in violation of the First Amendment. Doc. #1. Along with the motion, plaintiff filed a motion for a temporary restraining order (Doc. #6) which the court denied (Doc. #13) and a motion for a preliminary injunction (Doc. #9). Subsequently, plaintiff filed an amended motion for a temporary restraining order and an amended motion for a preliminary

¹ Refers to the court’s docketing number.

1 injunction. Doc. ##15, 16.

2 The court held an evidentiary hearing on the motions on November 16, 2010. Doc. #35. At
3 the hearing, the parties requested an opportunity to file supplemental briefing on the issues raised
4 at the hearing which the court granted. *Id.* Thereafter, the parties filed supplemental briefing on the
5 pending motions in December, 2010, (Doc. ##38, 39, 40, 41) and plaintiff's motions are presently
6 pending decision by the court.

7 On February 14, 2011, Leigh filed a petition to the Ninth Circuit for permission to appeal
8 this court's lack of a decision of the pending motions. Doc. #47. Thereafter, the parties filed the
9 present motion to stay. Doc. #48.

10 The court has reviewed the documents and pleadings on file in this matter and finds that
11 there is good cause warranting a stay as to case management and discovery matters pending in this
12 action. However, the court finds that there is not good cause to stay a ruling on the pending
13 motions. Staying decision upon the pending motions after an evidentiary hearing, argument, and
14 supplemental briefing would frustrate the purposes of judicial economy.

15
16 IT IS THEREFORE ORDERED that parties' motion to stay (Doc. #48) is GRANTED in-
17 part and DENIED in-part. All case management and discovery matters in this action are STAYED
18 pending further order of this court.

19 IT IS SO ORDERED.

20 DATED this 18th day of February, 2011.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE